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August 11, 2004

Time: 10:40 AM PDT  
(Santa Clara, California).

To: Commissioner for Patents  
Attn: Hoa B. Trinh  
Patent Examining Corps  
Facsimile Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Pamela J. Squyres  
Attorney Docket: MA-059  
Phone: 408-869-2921

**FAX NUMBER 703-872-9306**

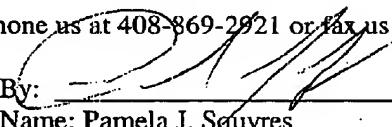
Re: Patent Application of: Michael A. Vyvoda et al.	Examiner: Hoa B. Trinh
Serial No.: 10/045653	Group Art Unit: 2814
Filed: November 7, 2001	Attorney Docket No.: MA-059
Title: Metal Structures for Integrated Circuits and Methods for Making the Same	

**Document(s) Transmitted:**

- Response to Restriction Requirement of 7-30-04 (3 pgs)
- Copy of Response to Telephone Restriction Requirement of 8-12-03 (2 pgs)
- Power of Attorneys (2 pgs)
- Statements Under 37 CFR 3.73(b) (2 pgs)

Total pages of this transmission, including the cover letter: 10

If you do not receive all of the pages described above, please telephone us at 408-869-2921 or fax us at 408-869-8923.

By:   
Name: Pamela J. Squyres  
Reg. No.: 52,246

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Pamela J. Squyres  
Date of Transmission 8/11/04

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Michael A. Vyvoda et al.

Application No.: 10/045653

Filed: 11/07/2001

Title: Metal Structures for Integrated Circuits and  
Methods for Making the Same

Attorney Docket No.: MA-059

Group Art Unit: 2814

Examiner: Hoa B. Trinh

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 11, 2004

**RESPONSE TO RESTRICTION REQUIREMENT**

To the Commissioner:

This paper is filed in response to a restriction requirement mailed in the above-captioned application on July 30, 2004.

According to Applicants' records a prior telephonic restriction requirement was made nearly a year ago in this application by a different examiner (Stephen Rao) on August 12, 2003 and an election was faxed from Applicants to Examiner Rao three days later, on August 15,

2003. No record of this exchange appears in PAIR, and, in a phone call Examiner Trinh, the present examiner, confirmed that this prior restriction and election do not appear in records available to her.

For completeness of the record, Applicants include in the present correspondence:

- This election in response to the restriction requirement of July 30, 2004.
- A copy of the prior election faxed on August 15, 2003.

It is understood that it is the present restriction requirement, made July 30, 2004, and the present election that will pertain in prosecution of this application. The prior election is included merely to complete the record and to show that Applicants responded in a timely fashion to the earlier restriction requirement. Applicants request that all of these papers be entered in the record.

The Examiner required election among the following groups:

Group I: claims 1-19, drawn to a method.

Group II: claims 20-29, drawn to a semiconductor device.

Group III: claims 30-33, drawn to a memory device.

Group IV: claims 34-37: drawn to an electronic device.

Applicants point out that claims 18 and 19, included by the Examiner in Group I of method claims, are technically device claims rather than method claims, beginning with the words "A semiconductor device made by the method comprising ..." Assuming that the Examiner wishes to maintain the groups identified in the restriction requirement, Applicants elect to pursue the method claims of Group I without traverse. Applicants intend to file one or more divisional applications directed to the non-elected claims.

If questions remain, the Examiner is invited to contact the undersigned Agent for Applicants at 408-869-2921.

Respectfully submitted,

Aug 11, 2004  
Date



Pamela J. Squyres  
Agent for Applicants  
Reg. No.: 52,246

Pamela J. Squyres  
Matrix Semiconductor  
3230 Scott Blvd  
Santa Clara, CA 95054  
Tel. 408-869-2921

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PAMELA J. SQUIRE  
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*8/15/03*  
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**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Michael A. Vyvoda et al.

Application No.: 10/045653

Filed: 11/07/2001

Title: Metal Structures for Integrated Circuits and Methods for Making the Same

Attorney Docket No.: MA-059

Group Art Unit: 2812

Examiner: Stephen Rao

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

The Examiner made a telephonic restriction requirement for this application in a telephone call to the undersigned Agent for Applicants on August 13, 2003. Election was required between method claims 1-17 (Group I) and device claims 18-37 (Group II).

Applicants elect to pursue the method claims of Group I, without traverse. Applicants intend to file a divisional application directed to the non-elected device claims of Group II, claims 18-37.

The Examiner further requested clarification of a Preliminary Amendment filed by Applicants on June 19, 2002, adding claims 10-13. This is to clarify, as discussed by telephone with the Examiner on August 15, 2003, that these claims were part of the application as originally filed. The present application was filed on November 7, 2001, while special handling

of USPTO mail for anthrax decontamination was taking place. Page 16 of the original specification (on which claims 10 through 13 originally appeared) and the return postcard were lost by the US Postal Service during this handling.

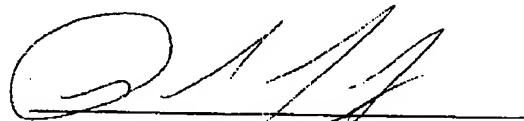
As noted in the Preliminary Amendment, claims 10-13 do not constitute new matter, because the page was originally present and was lost by the USPS due to extraordinary circumstances. Loss of the postcard deprives Applicants of the usual method of proving the lost page was part of the application as filed.

In addition, Applicants note that claims 10-13 are fully supported by the written description (see especially paragraphs [05] and [09]); as such, they cannot constitute new matter, and are entitled to the original filing date.

If there are any questions concerning this Response, the Examiner is invited to contact the undersigned agent at (408) 869-2921.

Respectfully submitted,

August 15, 2003  
Date



Pamela J. Squyres  
Agent for Applicants  
Reg. No.: 52,246

Pamela J. Squyres  
Matrix Semiconductor  
3230 Scott Blvd  
Santa Clara, CA 95054

Tel. 408-869-2921

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PTO/SB/96 (04-03)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael A. VyvodaApplication No./Patent No.: 10/045653 Filed/Issue Date: November 7, 2001Entitled: Metal Structures for Integrated Circuits and Methods for Making the SameMATRIX SEMICONDUCTOR, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013057, Frame 0005, or for which a copy thereof is attached.**OR**B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

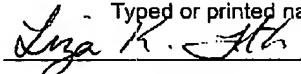
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 14, 2003Liza K. Toth, Reg # 31,065

Date

Typed or printed name

408-969-4823

Telephone number

Signature

Vice President, IP

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (04-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Michael A. VyyodaApplication No./Patent No.: 10/045653 Filed/Issue Date: November 7, 2001Entitled: Metal Structures for Integrated Circuits and Methods for Making the SameLSI Logic, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or  
 2.  an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is 50 %  
 in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013057, Frame 0005, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 15, 2003

Timothy R. Croll, Reg # 36,771

(408) 433-7625

Typed or printed name

Telephone number



Signature

Senior Corporate Counsel, LSI Logic

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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